

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

# MCKINLEY MILLER

- X

**Plaintiff,**

## **ORDER AUTHORIZING THE DEPOSITION OF INCARCERATED INDIVIDUAL**

- against -

Case No. 23-cv-3462 (LAP)

JOHN HAMMER and LESTER SILVER,

## Defendants.

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Pursuant to Federal Rule of Civil Procedure 30(a)(2)(B), it is hereby ORDERED that an Assistant Attorney General may take the deposition of McKinley Miller, DIN No. 19-A-4347, (see ECF Docket No. 29), either in person or by videoconference before a notary public, or some other officer authorized to administer oaths by the laws of the United States or of the State of New York, at any New York State Correctional Facility, upon notice to the plaintiff and the Superintendent of the correctional facility where he is then located.

Plaintiff is advised that if he fails to attend and complete his own deposition, the Court may impose sanctions pursuant to Fed. R. Civ. P. 37(d), which may include an order dismissing this action.

Dated: October 11, 2024

SO ORDERED.

Loretta A. Presley

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Hon. Loretta A. Preska  
United States District Judge